IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 4562 OF 2006

Chandrakant Krishna Jadhav
and ors. ..Applicants

Vs.

The State of Maharashtra ..Respondent

Mr. Niti Pradhan with Ms. Shubhada Khot, Shahen Pradhan and Maheen Pradhan for applicants.
Dr. S.S. Tatkare, APP for State.

CORAM: B.H. MARLAPALLE, J.

Date : January 12, 2007.

P.C.:

1. Heard Mr. Pradhan the learned counsel for the applicants who are impleaded as accused in Sessions Case No.155 of 2006. Before the charge-sheet was filed against 18 accused, their application for bail was rejected on 26/7/2006 and after filing of the charge-sheet they had applied for bail and the said application came to be rejected on 4/11/2006 by the learned Additional Sessions Judge at Kolhapur. Accused Nos.2, 5 to 10 and 12 to 18 approached this court in Criminal Application No.4267 of 2006 and prayed for being released on bail and the same was

allowed by this court on 4/12/2006.

2. This application for bail has been filed by accused nos.1, 3,4 and 11 who were also denied bail by the learned Additional Sessions Judge along with other 14 accused on 4/11/2006. My attention was invited by Mr. Pradhan to the FIR filed and it appears from the same that allegations of assault in the incident that had taken place on 17/7/2006 and leading to the death of Ananda Patil on 22/7/2006 on account of the injuries sustained, are against all the accused in general. This court in its order dated 4/12/2006 noted that the incident had taken place on account of elections of two cooperative societies at village Kalaoli in Panhala Taluka and the statement of the complainant Vikas would show that each one of the 18 accused had allegedly assaulted the deceased with sticks and other weapons. In such circumstances and when no specific role is attributed to the accused, and an omnibus allegation is levelled, the present accused were also required to be released on bail, urges Mr. Pradhan the learned counsel for the applicants. He also states that the applicants, if

released on bail, would not enter Panhala Taluka till such time this court directs and would also abide by all other conditions. It appears the elections held in the year 2004 and the applicants have been under arrest since 17/7/2006 whereas the charge-sheet has been filed subsequently.

3. Hence for the reasons stated in the order dated 4/12/2006 in Criminal Application No.4267 of 2006, this application is allowed and the present applicants are also directed to be released on bail on the very same terms and conditions.

(B.H. Marlapalle,J.)